

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ASSATA ACEY, :
:
Plaintiff, : NO. 2:23-cv-01438-GEKP
:
vs. :
:
INDUCTEV, :
:
Defendant. :

Wednesday, March 27, 2024

Virtual deposition of JACQUELINE ACEY,
taken pursuant to notice in TAMPA, FLORIDA,
beginning at 1:42 p.m., before Alicia Fortin, a
Professional Reporter and a Notary Public in and
for the Commonwealth of Pennsylvania.

Job No. CS6605046

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1 Q. Does anybody else live with you?

2 A. No.

3 Q. What's your son's name?

4 A. Chidozie (ph.).

5 Q. The plaintiff in this case, Assata

6 Acey, is your granddaughter, correct?

7 A. That's right.

8 Q. And at some point, you attended a
9 mediation with her; right?

10 A. That's true, yes.

11 Q. I want to talk about that mediation
12 process. I'm going to introduce what I'll call
13 Exhibit-A and I'm going to share my screen.

14 - - -

15 (Whereupon, the document was
16 marked for identification purposes as
17 Exhibit A.)

18 - - -

19 BY MR. LONGO:

20 Q. Can you see my screen, Ms. Acey?

21 A. Barely, yes.

22 Q. Does that help?

23 A. Yes.

24 Q. As I said before, I'd like to mark

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1 existing claims in return for a settlement of
2 50,000 from Momentum, not withstanding the rest of
3 this e-mail?

4 A. There was a verbal agreement that
5 she would resign and dismiss existing claims in
6 return for a settlement amount of 50,000 dollars
7 from dyn -- Momentum Dynamics, Corporation, but
8 the agreement was never received and never
9 executed.

10 Q. When you say received, what do you
11 mean?

12 A. She never received a written
13 agreement from Momentum Dynamics and she was
14 dismissed regardless even though the agreement was
15 never executed.

16 Q. But she verbally agreed to resign,
17 right?

18 A. She agreed to an agreement, in
19 which, she would resign and dismiss the existing
20 claims in return for a settlement amount of 50,000
21 dollars from Momentum Dynamics, Corporation and
22 she would have to receive the written agreement
23 and sign it.

24 It should be executed. It was

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1 provide Momentum with the said resignation letter
2 on or before September 23rd, 2022; therefore,
3 Momentum has accepted your resignation as of that
4 date.

5 Did I read that correctly?

6 A. You read it correctly, but the
7 statement is incorrect.

8 Q. How is the statement incorrect?

9 A. The statement is incorrect because
10 she did not agree to resign effective
11 immediately. She agreed to resign based upon
12 receiving the agreement from Momentum which she
13 would execute.

14 And at that point, she would --
15 inside the agreement, it should say that she would
16 resign and receive the 50,000 dollars, but she
17 never received that agreement from Momentum which
18 she could sign as far as I know.

19 Q. Moving on to this next paragraph,
20 it reads, additionally, you agreed to provide
21 Momentum with a verification form from a medical
22 provider on or about -- on or before September
23 23rd, 2022 returning you to work on full duty with
24 or without restrictions.

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1 lot of things that have to do with race.

2 If you want me to mention them one
3 by one, I would have to go through the documents
4 and tell you what they are. Because I wasn't
5 there, but I did read her documents.

6 Q. Did Plaintiff explicitly say there
7 was racism in the workplace before she filed
8 anything in this case?

9 A. I don't know.

10 Q. And you would agree with me, the
11 four things that we talked about, the four things
12 we mentioned earlier, being chased around, cell
13 phone process, time off, from what you testified
14 about Plaintiff's interaction with Judy, there's
15 no mention of racism in any of those discussions
16 between us?

17 A. I don't know. I'd have to look at
18 her documents and I could underline each one and
19 then get back to you.

20 Q. Okay --

21 A. Other than that, I -- no. When I
22 read them, a lot of things that happen to her, I
23 didn't even know was happening to her until I read
24 the document.

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1 A. It's clear.

2 Q. Let's walk through the items listed
3 under 1. Did Plaintiff ever talk to you about her
4 claim that she was not promoted to the role of
5 senior technician due to race?

6 A. I believe she did.

7 Q. Do you remember the details of that
8 conversation --

9 A. No, I don't.

10 Q. Do you remember when she told you
11 about that?

12 A. No, I don't.

13 Q. Do you remember her telling you
14 that she was harassed on the basis of race?

15 A. Yes.

16 Q. Do you remember the details of --

17 A. No.

18 Q. Do you remember when that
19 conversation occurred?

20 A. No.

21 Q. Do you remember how that
22 conversation occurred?

23 A. No.

24 Q. Is there anything you could look at